

FORM PTO-1390

U.S. Department of Commerce Patent and Trademark Office

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

Attorney's Docket No.

2953-228

U.S. Application No. (if known)

10/549,634

INTERNATIONAL APPLICATION NO.
PCT/GB2004/001126INTERNATIONAL FILING DATE
March 17, 2004PRIORITY DATE CLAIMED
March 20, 2003

TITLE OF INVENTION
RESTRICTING FLUID PASSAGE AND NOVEL MATERIALS THEREFOR

APPLICANT(S) FOR DO/EO/US

Michael John CRABTREE, Nicholas John CROWTHER, Donald EAGLAND, Philip FLETCHER

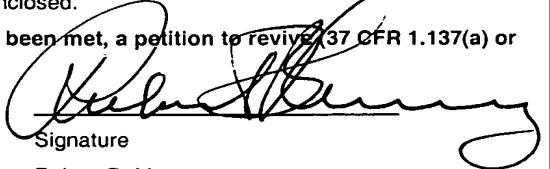
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. [] This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371
2. [X] This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. [] This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. [] The US has been elected (Article 31).
5. [] A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. [] is attached hereto (required only if not communicated by the International Bureau).
 - b. [] has been communicated by the International Bureau.
 - c. [] is not required, as the application was filed in the United States Receiving Office (RO/US)
6. [] An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. [] is attached hereto.
 - b. [] has been previously submitted under 35 U.S.C. 154(d)(4).
7. [] Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. [] are attached hereto (required only if not communicated by the International Bureau).
 - b. [] have been communicated by the International Bureau.
 - c. [] have not been made; however, the time limit for making such amendments has NOT expired.
 - d. [] have not been made and will not be made.
8. [] An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. [] An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. [] An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

ITEMS 11. TO 20. below concern other document(s) or information included:

11. [] An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. [] An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. [] A preliminary amendment.
14. [] An Application Data Sheet under 37 CFR 1.76.
15. [] A substitute specification.
16. [] A power of attorney and/or change of address letter.
17. [] A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825
18. [] A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. [] A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

U.S. APPLICATION NO. (If known) New Application		INTERNATIONAL APPLICATION NO. PCT/GB2004/001126		ATTORNEY DOCKET NO. 2953-228	
20. <input checked="" type="checkbox"/> Other items or information: Claim for Small Entity Status and Request for Refund					
21. The following fees are submitted:				<u>CALCULATIONS</u>	<u>PTO USE ONLY</u>
<input type="checkbox"/> Basic National Fee \$300.00				\$	
22. <input type="checkbox"/> Examination Fee If the written opinion prepared by ISA/US or the IPER prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 All other situations \$200.00				\$	
23. <input type="checkbox"/> Search Fee If the written opinion of the ISA/US or the IPER prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Search Authority \$100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$400.00 All other situations \$500.00				\$	
TOTAL OF 21, 22 AND 23 =				\$ 900	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.				\$	
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Rate		
- 100 =	/ 50 =		x 250	\$	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$	
Claims	Number Filed	Number Extra	Rate		
Total Claims	36 -20 =	16	X \$50.00	\$	
Independent Claims	5 - 3 =	2	X \$200.00	\$	
Multiple dependent claim(s) (if applicable)				+ \$360.00	\$
TOTAL OF ABOVE CALCULATIONS =				\$	
<input type="checkbox"/> Applicant claims small entity status. The fees indicated above are reduced by 1/2.				\$	
				SUBTOTAL =	\$
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
TOTAL FEES ENCLOSED =				\$ 2,100	
				Amount to be refunded	\$
				Amount to be charged	\$

U.S. APPLICATION NO. (if known) 10/549,634	INTERNATIONAL APPLICATION NO. PCT/GB2004/001126	ATTORNEY DOCKET NO. 2953-228
<p>a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 02-2135 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-2135. A duplicate copy of this sheet is enclosed.</p>		
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>		
SEND ALL CORRESPONDENCE TO:		
<p>Customer No. 06449 Rothwell, Figg, Ernst & Manbeck 1425 K St., N.W. Washington, D.C. 20005 Phone: 202/783-6040</p>		
 Signature <u>Robert B. Murray</u> Name <u>22,980</u> Registration Number		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/549,634
Applicant : Michael John CRABTREE et al
Filed : September 20, 2005
TC/A.U. :
Examiner :

Docket No. : 2953-228

Customer No. : 06449

Confirmation No. :

CLAIM FOR SMALL ENTITY STATUS
AND REQUEST FOR REFUND

Director of the United States Patent
and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

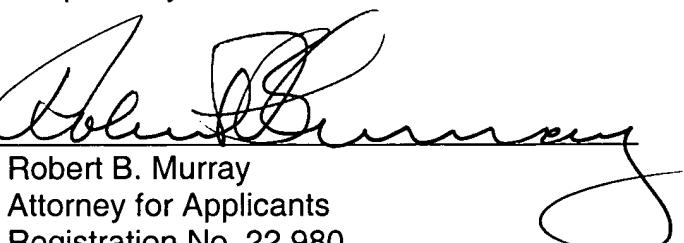
November 15, 2005

Dear Sir:

Applicant claims small entity status and requests a refund of one-half of the government fee of \$2,100 paid on September 20, 2005. This request is being filed within three months from payment of the fee for which a refund is requested. Please credit our deposit account 02-2135 in the amount of \$1,050.

Respectfully submitted,

By


Robert B. Murray
Attorney for Applicants
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RBM/cb